

**DRAFT**

MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

7 DECEMBER 1999

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Sharon Bell, employee in the Legislative Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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After Jarrod Smith, President of the Student Council at the Central North Carolina School for the Deaf Foundation, Inc., expressed appreciation to the Council for their support, the students and staff presented to the Mayor and Council poinsettias grown at the school's greenhouse. Brief discussion was held with regard to the their fund-raising efforts, the partnership with N. C. A&T State University and the feasibility of using the School's services in beautification efforts at Bryan Park.

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The City Manager presented to Allan Williams, Water Resources Department Director, a WaterWise Business Award for the T. Z. Osborne Water Reclamation Facility for implementation of water efficiency measures and achieving substantial water savings; he commended Mr. Williams and the facility's staff for their diligent efforts which had resulted in substantial water conservation. Mr. Williams spoke briefly to the program and commended Terry Powell, Osborne Plant Manager and his staff for their excellent work.

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The Manager presented a plaque to Terry Bellamy and Jim Westmoreland, Acting Directors; and retired Director Richard Atkins, Greensboro Department of Transportation (GDOT), for receiving the Outstanding Public Agency Award from the North Carolina Section Institute of Transportation Engineers (NCSITE). Mr. Atkins spoke briefly to the prestigious award and commended the GDOT staff for its excellence. Mr. Westmoreland recognized other department employees who were in the Chamber for the presentation.

Mayor Allen spoke briefly to the history of the Piedmont Authority for Regional Transportation and to its ongoing efforts for the Triad.

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Mayor Allen exercised the prerogative of the Chair to permit a special presentation by Councilmember Johnson. Councilmember Johnson thereupon read into the minutes and moved adoption of a Resolution honoring the 1999 North Carolina A&T State University Football Team. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

207-99 RESOLUTION HONORING THE 1999 NORTH CAROLINA A&T STATE UNIVERSITY FOOTBALL TEAM

WHEREAS, in early August of this year when the “prognosticators” looked at the coming football season for the teams that make up the Mid-Eastern Athletic Conference, the “wise men and women” picked our NC A&T Aggies to finish fifth in the Conference;

WHEREAS, these “prognosticators” did not feel that A&T would have a winning record in the Conference;

WHEREAS, after A&T’s loss to Elon College the “prognosticators” felt that their predictions were clearly going to be correct;

WHEREAS, the “prognosticators” and “naysayers” did not take into account the mental toughness, the desire and the heart of the young men who are a part of this year’s A&T football team;

WHEREAS, the “naysayers” did not take into account the brilliance and resourcefulness of Coach Bill Hayes and his staff;

WHEREAS, after that game with Elon in the fourth week of the season the football team won nine straight games;

WHEREAS, the team went undefeated in Meac Conference play for the first time in school history;

WHEREAS, the team won ten games during the regular season for the first time in school history;

WHEREAS, the team won a NCAA playoff football game for the first time in school history;

WHEREAS, Coach Bill Hayes was voted Coach of the Year by the MidEastern Athletic Conference;

WHEREAS, the team’s 11 wins set a school record for wins in a single season.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That on behalf of all of the citizens of Greensboro thanks be given to Coach Hayes and the entire Aggie football team for giving us a magical year and for giving our town bragging rights when we deal with our friends in Durham, Washington DC, Hampton, Nashville, Norfolk, Winston Salem, Tallhassee, Daytona, Orangeburgh, Dover and Baltimore.

2. That the City Council declares December 7, 1999 A&T Aggie Football Day.

(Signed) Yvonne J. Johnson

Councilmember Johnson recognized members of the team and coaching staff who were present in the Chamber and presented them with copies of the above resolution.

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Mayor Allen introduced the following ordinance listed on the Consent Agenda as required by the Greensboro Code of Ordinances.

- Ordinance amending in the amount of \$29,035 the FY 99-00 Annual Budget for JTPA/WIA and NC Employment and Training Grants

Mayor Allen thereupon requested a motion to approve the ordinance, resolutions and motion listed on the Consent Agenda. Councilmember Carmany moved adoption of the Consent Agenda. The motion was seconded by Councilmember Vaughan; the Consent Agenda was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: None.

99-202

# ORDINANCE AMENDING THE FY 99-00 ANNUAL BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Annual Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Training & Employment Services Fund be increased as follows:

| <u>Account</u>   | <u>Description</u>          | <u>Amount</u> |
|------------------|-----------------------------|---------------|
| 215-0298-44.5510 | Business & Meeting Expenses | \$16,922      |
| 215-0299-74.5520 | Seminar/Training Expenses   | <u>12,113</u> |
|                  |                             | \$29,035      |

and, that this increase be financed by increasing the following Training & Employment Services Fund accounts:

| <u>Account</u>   | <u>Description</u> | <u>Amount</u> |
|------------------|--------------------|---------------|
| 215-0298-44.7100 | Federal Grants     | \$16,922      |
| 215-0299-74.7110 | State Grants       | <u>12,113</u> |
|                  |                    | \$29,035      |

(Signed) Sandy Carmany

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## 208-99 RESOLUTION AUTHORIZING INSTALLATION OF SEWER LINE ALONG HEDGESHIRE COURT AND WATER MAIN ALONG ROCKINGHAM ROAD NORTH UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of an 8-inch sewer line along Hedgeshire Court and an 8-inch water line in Rockingham Road North to serve 3406 Rockingham Road North, in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the water and sewer lines in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned sewer line in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Sandy Carmany

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209-99 RESOLUTION IDENTIFYING THE AREAS UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF GREENSBORO

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic development in Greensboro and Guilford County; and

WHEREAS, the North Carolina General Statutes provide for annexation by municipalities according to certain legislative standards, and with the provision of certain services; and

WHEREAS, there are areas adjacent to the City of Greensboro that may be eligible for annexation under the North Carolina General Statutes; and

WHEREAS, the City Council is in the process of considering areas for possible annexation and plans to review those areas under consideration annually; and

WHEREAS, North Carolina General Statute 160A-49(i) provides that a Resolution of Consideration must be adopted by the City Council at least one year prior to the Resolution of Intent to Annex in order to begin the City-initiated annexation procedure and make it effective within 70 days of the Ordinance adopting the annexation; and

WHEREAS, the City of Greensboro adopted two Resolutions of Consideration on December 31, 1992 and December 30, 1993, identifying the exact same areas; and

WHEREAS, the City of Greensboro adopted a third Resolution of Consideration on December 18, 1995 identifying the same areas as well as additional areas; and

WHEREAS, the City of Greensboro adopted a fourth Resolution of Consideration on December 16, 1997 identifying the same areas as well as additional areas; and

WHEREAS, the effect of this resolution is to extend until December 7, 2001 the duration of Resolution 309-92 adopted by the City Council on December 31, 1992, Resolution 270-93 adopted by the City Council on December 30, 1993; Resolution 255-95 adopted by the City Council on December 18, 1995; and Resolution 249-97 adopted by the City Council on December 16, 1997; and

WHEREAS, the effect of this resolution is also to expand the areas covered to include new areas as shown on the attached map and to delete areas that no longer qualify for annexation by the City of Greensboro;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA:

Section 1 - That all areas described on Attachment A (Growth Study Areas Map) are under consideration for annexation by the City of Greensboro.

Section 2 - That all areas described on Attachment A (Growth Study Areas Map) and shaded in blue were a part of Resolutions 309-92, 270-93, 255-95, or 249-97 and continue to be under consideration for annexation by the City of Greensboro.

Section 3 - That all areas described on Attachment A (Growth Study Areas Map) and shaded in yellow were not a part of Resolutions 309-92, 270-93, 255-95 or 249-97 but are now under consideration for annexation by the City of Greensboro.

Section 4 - That persons owning agricultural land, horticultural land, or forestland that is, or may become, eligible for present-use value appraisal and present-use value taxation are hereby notified that such eligible properties, upon annexation, shall have limited obligations and rights pursuant to N.C. General Statutes 160A-49 (f1) and (f2) N.C.General Statutes 160A-49(f2) provides:

(1) Upon the effective date of the annexation ordinance, the property is considered part of the city only (i) for the purpose of establishing city boundaries for additional annexations pursuant to this Article and (ii) for the exercise of city authority pursuant to Article 19 of this Chapter.

(2) For all other purposes, the annexation becomes effective as to each tract of such property or part thereof on the last day of the month in which that tract or part thereof becomes ineligible for classification pursuant to G.S. 105-227.4 or no longer meets the requirements of subdivision (f1) (2) of this section. Until annexation of a tract or a part of a tract becomes effective pursuant to this subdivision, the tract or part of a tract is not subject to taxation by the city under Article 12 of Chapter 105 of the General Statutes nor is the tract or part of a tract entitled to services provided by the city.

Section 5 - That this Resolution and Map shall be on file in the Office of the City Clerk of the City of Greensboro for inspection by citizens of the City and the study areas.

Section 6 - That this Resolution shall become effective immediately upon adoption.

(Signed) Sandy Carmany

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**210-99 RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF PARTICIPATION CONTRACT FOR OVERSIZING OF SEWERS WITH KAVANAGH ASSOCIATES, INC.**

WHEREAS, in planning for the expansion program for upgrading of existing lift stations, the City has requested Kavanagh Associates, Inc., to oversize portions of sewer lines throughout The Grande Subdivision, Section B, as shown on the attached map, during the initial construction phase in order to avoid disturbance to the neighborhood in the future;

WHEREAS, Kavanagh Associates, Inc., will complete the construction for the Lake Jeanette Sanitary Sewer Outfall #1 and Lawndale Lift Station Force Main under private contract;

WHEREAS, in order to avoid later disturbance to this project, it is necessary for the City to participate in the development cost and the City has agreed to reimburse the developer to the extent of allowances for oversizing mains and construction of force mains;

WHEREAS, the cost of participation to the City will be \$138,436.20, and it is deemed to be in the best interest of the City to enter into the above mentioned participation contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO**

That the Participation Contract for oversizing of sewers with Kavanagh Associates, Inc. in the amount of \$138,436.20 is hereby approved and authorized, payment to be made from Account No. 503-7062-01-6017.

(Signed) Sandy Carmany

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Motion was unanimously adopted to approve the minutes of regular meeting of 16 November 1999.

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Kato Smith, residing at 3306 Winchester Drive, reiterated his concerns with respect to individuals purportedly selling food illegally at area construction sites. He provided details of the activity, provided photographs of one of the individuals he stated was selling food, stated that City efforts to date were not satisfactory, and requested an update of additional actions planned by the City. The City Manager outlined efforts by the City to work with Mr. Smith in an attempt to resolve this issue.

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Donald W. Snow, Sr., residing at 313 Field Street, spoke to his mental condition and offered his perception of treatment by Police officers during his recent incarceration, his behavior toward Police at that time and the course of action he planned to pursue to file complaints about some of the officers.

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Dorothy Brown, residing at 603 Julian Street, expressed her appreciation to Mayor Allen for her many years of dedicated public service.

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Council commended Mayor Allen for her excellent work as Mayor, spoke to her effective, efficient leadership, and offered personal comments about her impact on individual Council members and her dedication to Greensboro citizens.

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Councilmember Carmany added the name of Randy Kimball to the boards and commissions data bank for consideration of future service on the Board of Electrical Examiners.

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Councilmember Burroughs-White advised she had attended the conference when Greensboro had received the James Howland Award for the leadership involved with East Market Street. The Mayor noted that Councilmember Burroughs-White had served on the East Market Street Board since its inception.

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Councilmember Jones spoke to his attendance and presentation of Keys to the City to performers in the recent Comedy Show at the Greensboro Coliseum sponsored by Walter Latham and others; he stated these performers had donated \$55,000 of the show's proceeds to aid the citizens of Princeville, NC.

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Councilmember Johnson advised she had received the Greensboro Sports Commission's annual report and would speak to this matter at a future Council meeting.

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Mayor Allen offered personal comments and observations with respect to significant accomplishments achieved during her tenure on City Council and as Mayor. She introduced and expressed appreciation to the citizens of Greensboro, family, friends, the City Clerk's staff, the City Manager, and past and present Councils for their support. Mayor Allen stated it had been an honor and privilege to serve Greensboro for the past ten years. (A copy

of the Mayor's statement is filed in Exhibit Drawer M, Exhibit Number 26, which is hereby referred to and made a part of these minutes.)

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On behalf of the City staff, City Manager Kitchen expressed appreciation to Mayor Allen for her support, commended her for her many contributions to the City and presented to her a copy of the City Seal and other mementos. He stated that when he talked to employees about the City's Core Values--honesty, integrity, stewardship and respect, he offered Mayor Allen as an example because of her total respect for everyone.

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The City Manager distributed to Council an agenda for the January 10 planning workshop.

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Councilmember Jones moved that the City Council adjourn to meet in the Organizational Meeting being held immediately following this meeting. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 7:15 P.M.

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JUANITA F. COOPER  
CITY CLERK

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CAROLYN S. ALLEN  
MAYOR

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